

REMARKS

Claims 8-10 and 12-23 are pending in this application. Claims 8 and 20 are independent. Claim 11 has been canceled without prejudice or disclaimer to the subject matter included therein. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 20-23 under 35 U.S.C. §102(b) as being anticipated by *Umezawa et al.* (USP 5,491,507); rejected claims 8-10, 12 and 16-19 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Watanabe et al.* (USP 6,545,775); rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Watanabe et al.* and further in view of *Oeda et al.* (U.S. Patent Application Publication No. 2001/0012071); rejected claim 13 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Watanabe et al.* and further in view of *Tanaka et al.* (U.S. Patent Application Publication No. 2002/0191096); and rejected claims 14 and 15 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Watanabe et al.* and *Tanaka et al.* and further in view of *Kiyokawa* (USP 6,204,877). Applicant respectfully traverses these rejections.

Prior Art Rejections

By this amendment, Applicant has amended claim 8 to recite, *inter alia*, wherein said electronic camera further has a recording mode for recording image data in a storage medium in the camera, and a play mode for playing an image on a monitor according to the image data stored in the storage medium in the camera; and said controlling device controls said lens cover driving device so that said lens cover is opened when said recording mode is set, and does not move the lens cover when said play mode is set.

Watanabe discloses a card-type camera attachable in the card slot of a laptop PC. *Watanabe* further discloses that this camera opens the lens cover only during an image pickup

action. In alternative embodiments, *Watanabe* discloses opening or closing the lens cover depending on whether or not the camera is attached to the PC. However, *Watanabe* does not disclose closing the lens cover when the first mode is set, the first mode performing functions unrelated to the camera. There is no disclosure in *Watanabe* directed to moving the lens cover based on the setting of a mode. *Watanabe* discloses that the lens cover opens only during an image pick-up action. Therefore, since the image pick-up action is not performed during the play mode, the lens cover will close based on the *Watanabe* disclosure.

However, according to claim 8, as amended, setting the recording mode opens the lens cover, wherein, upon switching to the play mode, wherein recording is not taking place, will not close the lens cover because the play mode is related to functions of a camera. Based on the teachings of *Watanabe*, switching to the play mode will close the lens cover of the camera. As such, even if *Umezawa et al.* is modified based on the teachings of *Watanabe*, the combination will still fail to teach or suggest the invention of claim 8, as amended.

Applicant submits that switching between recording mode and play mode in a digital camera is common in order to check the recorded image in play mode. If the lens cover is opened and closed for every mode changing operation, the power used for driving the lens cover is wasted. In addition, the user must wait until the lens cover opens in order to take another image pick-up operation when switching from a play mode.

Applicant further submits that *Oeda* fails to cure the deficiencies of the teachings of *Umezawa et al.* and *Watanabe*. *Oeda* discloses that even when the image pickup mode is selected by mode switch 11, power supply of the still camera body is not turned on if lens cover switch 14 is not on, that is, if lens cover is not opened. When the reproduction mode is selected by mode switch 11, the power supply of the still camera body is turned on regardless of the state of lens cover switch 14 (See flow chart of Fig. 3). In other words, *Oeda* discloses that the lens cover switch determines whether to open or close the lens cover. As such, *Oeda* fails to cure the deficiencies of the teachings of *Umezawa et al.* and *Watanabe*.

For all of the reasons set forth above, Applicant respectfully submits that claim 8 is patentable over the references as cited. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 9-10 and 12-19 are allowable for the reasons set forth above with regard to claim 8 at least based upon their dependency on claim 8. It is further respectfully submitted that claim 20 includes elements similar to those discussed above with regard to claim 8 and thus claim 20, together with claims dependent thereon, is not obvious for the reasons set forth above with regard to claim 8.

Conclusion

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

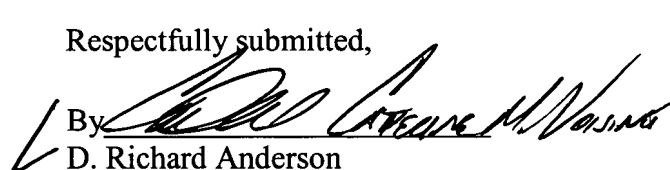
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By


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